

**FULBRIGHT & JAWORSKI L.L.P.**

A REGISTERED LIMITED LIABILITY PARTNERSHIP  
600 CONGRESS AVENUE, SUITE 2400  
AUSTIN, TEXAS 78701-3271  
WWW.FULBRIGHT.COM

MKRAWZSENEK@FULBRIGHT.COM  
DIRECT DIAL: (512) 536-3020

TELEPHONE: (512) 474-5201  
FACSIMILE: (512) 536-4598

November 24, 2004

|                            |                   |
|----------------------------|-------------------|
| EXPRESS MAIL MAILING LABEL |                   |
| NUMBER                     | EV 326409161 US   |
| DATE OF DEPOSIT            | November 24, 2004 |

**MS PCT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

RE: *U.S. Patent Application No. 10/500,909 entitled "INTELLIGENT SYSTEM AND METHOD FOR MONITORING ACTIVITY AND COMFORT" – Christian Cloutier*  
*Our reference: GOUD:050US*  
*Client reference: GB/13544.6*

Sir:


Please find enclosed:

- (1) A Response to Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) mailed September 27, 2004;
- (2) Declaration;
- (3) Power of Attorney;
- (4) Copy of Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US); and
- (5) A return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.

Commissioner for Patents  
November 24, 2004  
Page 2

It is believed that no fee is due with this communication, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed document, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski Deposit Account No. 50-1212/GOUD:050US.

Respectfully submitted,

  
Michael R. Krawzsenek  
Reg. No. 51,898

MRK/mar  
Encl: as noted

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:  
Christian Cloutier

Serial No.: 10/500,909

Filed: July 6, 2004

For: INTELLIGENT SYSTEM AND METHOD  
FOR MONITORING ACTIVITY AND  
COMFORT

Group Art Unit: Unknown

Examiner: Unknown

Atty. Dkt. No.: GOUD:050US

|                            |                   |
|----------------------------|-------------------|
| EXPRESS MAIL MAILING LABEL |                   |
| NUMBER                     | EV 326409161 US   |
| DATE OF DEPOSIT            | November 24, 2004 |

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C.  
371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

**MS PCT**

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Sir:

In response to the Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US), dated September 27, 2004, there are enclosed herewith:

- (a) Declaration executed on behalf of Christian Cloutier;
- (b) A Power of Attorney on behalf of Christian Cloutier; and
- (c) A copy of Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US).

It is believed that no fee is due with this communication, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed document, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski Deposit Account No. 50-1212/GOUD:050US.

Please date stamp and return the accompanying postcard to evidence receipt of these documents.

Respectfully submitted,



Michael R. Krawzsenek  
Reg. No. 51,898  
Attorney for Applicant

FULBRIGHT & JAWORSKI L.L.P.  
600 Congress Avenue, Suite 2400  
Austin, Texas 78701  
(512) 474-5201

Date: November 24, 2004



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

|   |   |                                |
|---|---|--------------------------------|
| U.S. APPLICATION NUMBER NO.<br>10/500,909 | FIRST NAMED APPLICANT<br>Christian Cloutier | ATTY. DOCKET NO.<br>GOUD:050US |
|---|---|--------------------------------|

|   |
|---|
| INTERNATIONAL APPLICATION NO.<br>PCT/CA03/01171 |
|---|

|                                |                             |
|--------------------------------|-----------------------------|
| I.A. FILING DATE<br>08/05/2003 | PRIORITY DATE<br>08/05/2002 |
|--------------------------------|-----------------------------|

Steven L Highlander  
 Fubright & Jaworski  
 600 Congress  
 Suite 2400  
 Austin, TX 78701

CONFIRMATION NO. 1324  
 371 FORMALITIES LETTER



\*OC000000013911247\*

Date Mailed: 09/27/2004

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 07/06/2004
- Copy of the International Search Report filed on 07/06/2004
- Preliminary Amendments filed on 07/06/2004
- Information Disclosure Statements filed on 07/06/2004
- Small Entity Statement filed on 07/06/2004
- Request for Immediate Examination filed on 07/06/2004
- U.S. Basic National Fees filed on 07/06/2004

*Initial deadline  
 for Missing Parts - 11-27-04  
 Final deadline for Missing  
 Parts - 04-27-05*

*GOUD: 050US  
 DDB/SUH/MRK  
 dh 52 ml*

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5) AUSTIN, TEXAS

A copy of this notice **MUST** be returned with the response.

OCT 02 2004

RECEIVED

LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 201

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/500,909                  | PCT/CA03/01171                | GOUD:050US       |

FORM PCT/DO/EO/905 (371 Formalities Notice)